

# Notice of Allowability

Application No.

09/755,433

Examiner

James A. Reagan

Applicant(s)

WONG ET AL.

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the response filed on 11 July 2006.
2. ☒ The allowed claim(s) is/are 2, 5, 6, 8-10, 12, 15, 16, 18, and 19.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## DETAILED ACTION

### Status of Claims

1. This action is in reply to the response filed on 11 July 2006.
2. Claims 2, 5, 8-10, 12, 15, 18, and 19 have been amended.
3. Claims 1 and 11 have been canceled.
4. Claims 2, 5, 6, 8-10, 12, 15, 16, 18, and 19 are currently pending and have been examined.

### Reasons For Allowance

5. The following is an Examiner's statement of reasons for allowance:

None of the art of record, taken individually or combination, disclose at least the method step or system components of:

- *enabling a complete installation of the software product on the local machine, including installing at least one run-time file needed to execute the software product, in response to the match between the generated installer identifier and the stored installer identifier;*
- *whereby the stored license file is associated only with the software product installed on the local machine and the hardware identifier is associated only with the local machine, and the stored license file can be subsequently accessed to enable the execution of the completely installed software product including the installed at least one run-time file on the local machine but cannot be used with a separate software*

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*product or to execute the software product on a machine other than the local machine;*

- *receiving a software product key; and*
- *wherein installing on the local machine the at least one run-time file needed to execute the software product occurs in response to a determination that the received software product key is a correct software product key.*

More specifically, the prior art of record fails to disclose installation of software on a local machine after receiving a software product key and executing a run-time file after determining that the software key is correct. Independent Claims 8 and 18 are distinguished over the closest prior art of Schneck et al, (US 5,933,498 A), which teaches installation of software products on local machines. As recited in independent claims 8 and 18, it is clear that the Applicant's invention is distinguished over the Schneck invention in at least the method step and/or system component of receiving the software key during an installation and verifying it is the correct key.

### Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Aura, Tuomas "Proceedings of the USENIX Workshop on Smartcard Technology" © 05-1999 discloses software licensing management with smart cards.
- HOLMES, KEITH (EP 463251 A1) discloses a software installation method over a network.

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Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **James A. Reagan** whose telephone number is **571.272.6710**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **ANDREW J. FISCHER** can be reached at **571.272.6779**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> . Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks**

**Washington, D.C. 20231**

or faxed to **571-273-8300**.

Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window:**

Randolph Building

401 Dulany Street

Alexandria, VA 22314.

JAMES A. REAGAN

Primary Examiner

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19 September 2006

JAMES A. REAGAN  
PRIMARY EXAMINER  
